



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.11.2020

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

Crl.O.P(MD)No.12854 of 2020

S.Jahir Hussain

... Petitioner

Vs

1.The Superintendent of Police
Madurai District, Madurai.

2.The Inspector of Police,
Melur Police Station,
Madurai District.

3.A.A.A.P.Singakutty @ Angamuthu

... Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the respondents 1 & 2 to provide adequate police protection to the petitioner in respect of the property bearing New Door No.633/W/18 (Old Door No.672/W/12), Trichy Main Road, Melur Town situated in Survey No.251/2 measuring 203.5 sq.feet of Melur Town, Madurai in the light of the judgments reported in 2014(2) CTC 695 (Radhika Sri Hari and another Vs Commissioner of Police, Coimbatore City) and 2015(2) LW 999 (S.Ashokan and others vs. State rep by the Commissioner of Police, Greater Chennai).

For Petitioner : Mr.M.Saravanan

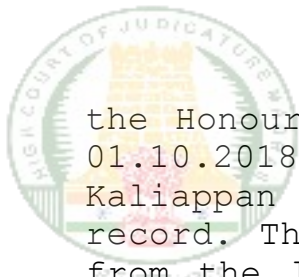
For R1 and R2 : Mr.V.Neelakandan,
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to direct to direct the respondents 1 & 2 to provide adequate police protection to the petitioner in respect of the property bearing New Door No.633/W/18 (Old Door No.672/W/12), Trichy Main Road, Melur Town situated in Survey No.251/2 measuring 203.5 sq.feet of Melur Town, Madurai in the light of the judgments cited in the petition.

2. The learned counsel for the petitioner would submit that the petitioner is the absolute owner of the shop bearing New Door No.633/W/18 (Old Door No.672/W/12), Trichy Main Road, Melur Town. The petitioner has purchased the said property by way of registered sale deed dated 24.01.2020. One Kaliappan filed O.S.No.533 of 2004 for bare injunction claiming the ownership of petitioner's property. His suit was dismissed and the decree was confirmed by this Court on 15.12.2016 in S.A.No.342 of 2013. The

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the Honourable Apex Court in S.L.P.(Civil) Diary No.33827/2018 on 01.10.2018. During the pendency of the proceedings, the said Kaliappan was died and his legal representatives were brought on record. The 3rd respondent herein had obtained a power of Attorney from the legal heirs of Kaliappan and threatening the petitioner and making hectic attempts to grab the petitioner's property. The 3rd respondent has given a false complaint before the respondent police in CSR No.144 of 2020. When the petitioner went for attending the enquiry, the 3rd respondent has given life threat to the petitioner. Hence, the petitioner made a complaint to the second respondent on 30.07.2020, for giving police protection. But, so far no action has been taken by the respondent police. Hence, the petitioner is before this Court.

3.The learned Additional Public Prosecutor appearing on behalf of the respondents 1 & 2, would submit that the respondent police will look into the matter and give police protection to the petitioner, if necessary.

4.Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the official respondents

5.Considering the submission made on either side, the respondents 1 and 2 are directed to consider the representation of the petitioner, dated 30.07.2020 and give police protection to the petitioner, if necessary. If it is found that police protection is not necessary, the same shall be communicated to the petitioner so that he can work out his rights in the manner known to law.

6.With the above direction, this criminal original petition is disposed of.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

vrn

NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

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To: -

1.The Superintendent of Police
Madurai District,
Madurai.

2.The Inspector of Police,
Melur Police Station,
Madurai District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.M.SARAVANAN, Advocate (SR-21981[F] dated 18/11/2020)

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CK(CO)

KM (26.11.2020) 3P 5C